

103D CONGRESS
1ST SESSION

H. R. 2962

To amend title 5, United States Code, to modify the early-retirement reduction provisions with respect to certain Federal employees who are separated from service due to a base closure under title II of the Defense Authorization Amendments and Base Closure and Realignment Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 6, 1993

Mr. LANTOS (for himself, Mr. MILLER of California, Mr. DELLUMS, Mr. FAZIO, Mr. HAMBURG, Mr. CLYBURN, and Mr. RAVENEL) introduced the following bill; which was referred to the Committee on Post Office and Civil Service

A BILL

To amend title 5, United States Code, to modify the early-retirement reduction provisions with respect to certain Federal employees who are separated from service due to a base closure under title II of the Defense Authorization Amendments and Base Closure and Realignment Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Federal Employee Base Closure Retirement Act”.

1 **SEC. 2. MODIFICATION IN EARLY-RETIREMENT REDUC-**
2 **TION PROVISIONS.**

3 Section 8339(h) of title 5, United States Code, is
4 amended—

5 (1) by striking “(h) The annuity” and inserting
6 “(h)(1) The annuity”;

7 (2) in the first sentence by striking “executive.”
8 and inserting “executive and except as provided in
9 any succeeding provision of this subsection.”; and

10 (3) by adding at the end the following:

11 “(2)(A) This paragraph applies with respect to—

12 “(i) any law enforcement officer or firefighter
13 who has completed the minimum number of years of
14 service required to qualify for immediate retirement
15 under section 8336(c); and

16 “(ii) any air traffic controller who has com-
17 pleted at least 20 years of service as an air traffic
18 controller.

19 “(B) Notwithstanding any provision of paragraph
20 (1), for any employee described in subparagraph (A) who
21 retires under section 8336(d), the percentage reduction
22 applicable under this subsection shall—

23 “(i) if such employee’s separation is due to a
24 base closure, be equal to $\frac{1}{12}$ of 1 percent for each
25 full month the employee is under 50 years of age at
26 the date of separation; or

1 “(ii) if clause (i) does not apply, be equal to $\frac{1}{6}$
2 of 1 percent for each full month the employee is
3 under 50 years of age at the date of separation.

4 “(3)(A) This paragraph applies with respect to any
5 employee, other than an employee described in paragraph
6 (2)(A), who has completed 30 years of service.

7 “(B) Notwithstanding any provision of paragraph
8 (1), for any employee described in subparagraph (A) who
9 retires under section 8336(d)(1), the percentage reduction
10 applicable under this subsection shall, if such employee’s
11 separation is due to a base closure, be equal to $\frac{1}{12}$ of
12 1 percent for each full month the employee is under 55
13 years of age at the date of separation.

14 “(4)(A) For the purpose of this subsection, the term
15 ‘base closure’ means the closure or realignment of a mili-
16 tary installation carried out under title II of the Defense
17 Authorization Amendments and Base Closure and Re-
18 alignment Act.

19 “(B) Any determination under this subsection as to
20 whether or not a separation is due to a base closure shall
21 be made in accordance with such criteria as the Office of
22 Personnel Management shall by regulation prescribe.”.

1 **SEC. 3. APPLICABILITY.**

2 The amendments made by this Act shall apply with
3 respect to separations occurring on or after the date of
4 the enactment of this Act.

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